

## TEXAS WATER COMMISSION

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April 28, 1986

Ms. Bonnie DeVos  
Chief, State Programs Section  
U. S. Environmental Protection Agency  
Region VI  
1201 Elm Street  
Dallas, Texas 75270  
Attn: John Cochran

002505

Dear Ms. DeVos:

Re: South Cavalcade Superfund Site

The Texas Water Commission (TWC) has been requested by letter dated April 10, 1986 from McBride-Ratcliff and Associates, Inc. to classify two waste materials generated during the site investigation activities at the South Cavalcade Superfund Site. A copy of this letter with attached analytical results for the wastes is enclosed for your use. The wastes in question consist of (1) bulk solid wastes (soils, drilling muds, disposable items) and (2) aqueous wastes (decontamination water, ground water).

This letter provides our preliminary judgement with regard to the appropriate classification for the waste materials. Since the investigation at the South Cavalcade site is being conducted as an EPA enforcement lead, EPA personnel are more knowledgeable about site specific factors which may properly influence the location of disposal. We are, as a result, providing our comments to your office rather than responding directly to the RI/FS contractor. For EPA enforcement lead investigations, EPA is the logical party to determine the appropriate waste disposal location with review and comment provided by the TWC.

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In addition, our review of the request from the RI/FS contractor has brought to light a question for which we are requesting clarification. The "CERCLA Off-Site Policy for Waste Disposal" published in the Federal Register on November 5, 1985 specifies that "All Fund-financed and enforced response actions (removal and remedial) involving the off-site disposal of hazardous substances must involve use of disposal facilities that are in compliance with applicable RCRA minimum technical requirements." The policy goes on to state that "CERCLA hazardous substances which are not hazardous wastes under RCRA may, in some circumstances, be disposed of in other legal units. In such cases, disposal should take place in accordance with other legal requirements." The only examples of other legal units provided in this section are TSCA approved and radioactive materials disposal facilities. It is unclear whether CERCLA hazardous substances which are not hazardous waste may under certain conditions be disposed of in legally authorized nonhazardous waste disposal facilities. For solids disposal in Texas, such facilities would consist of Class I nonhazardous or Class II industrial solid waste landfills and municipal solid waste landfills. In addition to hazardous waste disposal wells, liquids disposal could occur in industrial and municipal wastewater treatment systems. In summary, we request clarification whether wastes generated during remedial investigations which are not hazardous wastes but do contain small concentrations of hazardous substances must be disposed of in a RCRA facility certified to meet minimum technical requirements or may, if appropriate for the particular waste, be disposed of in other legal units as described above.

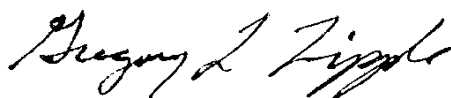
Neither the liquids nor the solids generated during the remedial investigation at the South Cavalcade Site appear to be RCRA hazardous waste. The aqueous waste does contain concentrations of several base/neutral and acid extractable organic compounds with a maximum concentration of 400 parts per billion. Provided these are the only hazardous constituents present and a representative sample was collected, this waste could be considered a Class II industrial solid waste. The aqueous waste was analyzed for EPA priority pollutants while the solids were only analyzed for EPA priority pollutant metals and pesticides/PCB. Due to the lack of analyses for organic constituents, we would classify the solids as Class I nonhazardous waste. The place of disposal for the liquid waste would be dependent on your response to the policy question described above. Due to the lack of organic analyses, it seems appropriate to dispose of the solids in a RCRA landfill certified to meet minimum technical requirements.

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If you have any questions pertaining to this letter or the enclosures, please contact me at 512/463-7798.

Sincerely,



Greg Tipple  
Remedial Investigations Unit Head  
Superfund Section  
Hazardous and Solid Waste Division

GT:bt

Enclosures

cc: Mr. Stan Hitt, U.S. EPA, Region VI  
Mr. Larry Wright, U.S. EPA, Region VI

002507